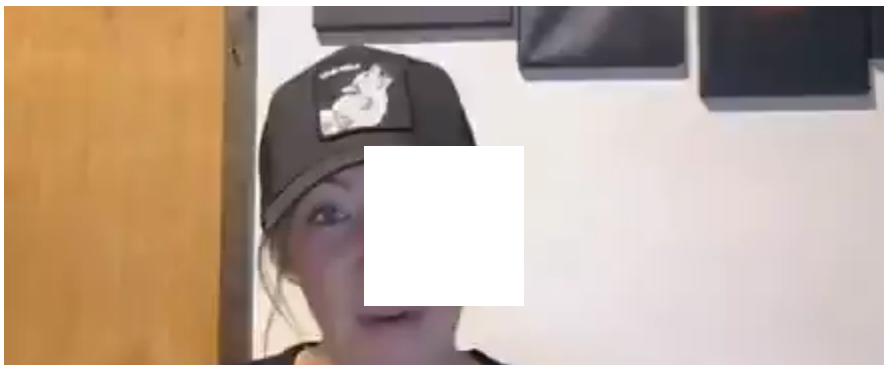
CANUCK LAW

Reporting That You're Not Getting Elsewhere (Do Your Own Research To Verify)

NOVEMBER 14, 2025 BY RONNIE

Universal Ostrich Farms, Part 9: Closing Off With What Alternative Media Didn't Report

Date	Proceeding
2025-11-06	Copy of formal judgment sent to Registrar of the Court of Appeal and all parties
2025-11-06	Judgment on leave sent to the parties
2025-11-06	Judgment of the Court on the application for leave to appeal, The motion for a stay of execution is dismissed. The application for leave to appeal from the judgment of the Federal Court of Appeal, Number A-205-25, 2025 FCA 147, dated August 21, 2025, is dismissed with costs. Dismissed, with costs
2025-11-06	Decision on the motion for a stay of execution, See judgment on application, Ob Dismissed



00:00 00:25

The saga at Universal Ostrich Farms has come to an end, with the Supreme Court refusing to hear a final Appeal. The birds are now dead, and many people are still angry from it. This will be the last of it, at least here and will attempt to cover some points mostly left out by "alternative" media.

******As an aside, most people didn't want the birds killed. I didn't. However, blame for this falls on the owners who turned them into test subjects. And the farm — for lack of a better term — became an open air biolab.***

Probably the most shocking is that the owners attempted to cover up dozens of bird deaths, and that it wasn't their first time doing this. Had a neighbour not reported this, it's likely that few would ever have known.

See Parts 1, 2, 3, 4, 5, 6, 7 and 8 in the series for more information.

For anyone not too up to date with the story, here are some key events:

- The CFIA, or Canadian Food Inspection Agency, issued an order at the end on 2024 to cull approximately 400 ostriches (or some amount) from a farm in the Interior B.C. This was on the basis that the ostriches had the "H5N1 virus" based on "PCR testing".
- The farmers filed an Application for Judicial Review in Federal Court.
- The Federal Court granted a temporary stay of the culling until the case was heard.
- The Federal Court (Justice Zinn) dismissed the Application in May.
- The Federal Court of Appeal issued another stay in June, until the Appeal was heard.
- The Appeal was dismissed in August.
- The Court of Appeal refuses a further stay in September.
- Following the FCA refusal to issue a further stay, the CFIA moved in (with RCMP protection) and seized control of the farm.
- September, the Supreme Court has issued a stay of their own, however, the CFIA will retain possession of the farm until the proceedings are concluded.
- November 6th, SCC refuses to hear the Appeal. The birds are killed that night.

Most of the documents from the Supreme Court are attached below. The arguments

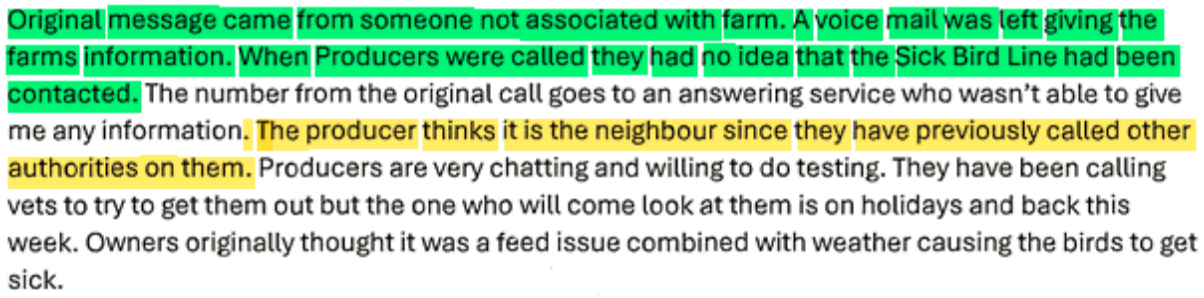
seemed to revolve largely around whether there should have been reconsideration.

To clarify, litigants don't automatically have the right to be heard. They must file an Application for Leave, and persuade the Court their case is worth hearing. Considering that only about 5% to 7% are granted each year, the odds are never good.

FROM CATHY FURNESS' JUNE 2025 AFFIDAVIT:

(0) UOF APPEAL Responding Motion Record Volume 1
(1) UOF Furness Call Log
(2) UOF Furness Declaration An Infected Place
(3) UOF Furness Exemption Request Documentation
(4) UOF Furness Denial Of Exemption Request
(5) UOF Furness Requirement To Dispose
(6) UOF Furness Notice Of Violation Failure To Report
(7) UOF Furness Notice Of Violation Failure To Comply
(8) UOF Furness Inspection Report
(9) UOF Furness More Inspection Reports
(10) UOF Furness Another Inspection Report
(11) UOF Furness Inspection Report Protestors

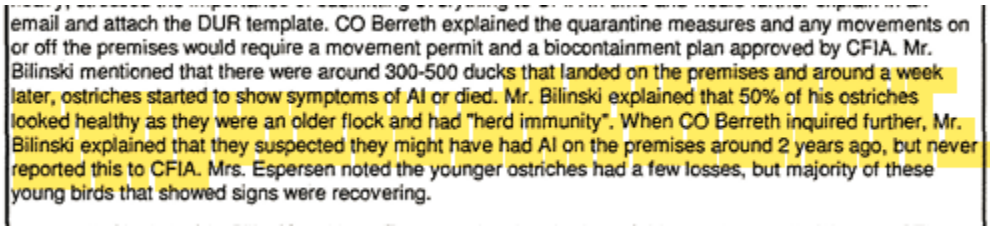
1. It Was A Neighbour, Not The Farmers Who Reported



Original message came from someone not associated with farm. A voice mail was left giving the farms information. When Producers were called they had no idea that the Sick Bird Line had been contacted. The number from the original call goes to an answering service who wasn't able to give me any information. The producer thinks it is the neighbour since they have previously called other authorities on them. Producers are very chatting and willing to do testing. They have been calling vets to try to get them out but the one who will come look at them is on holidays and back this week. Owners originally thought it was a feed issue combined with weather causing the birds to get sick.

This was from Exhibit "S" of the Furness Affidavit. It was a neighbour, not the farmers themselves who reported that ostriches were dying. This is a serious problem, as owners are expected to report deaths and suspected outbreaks.

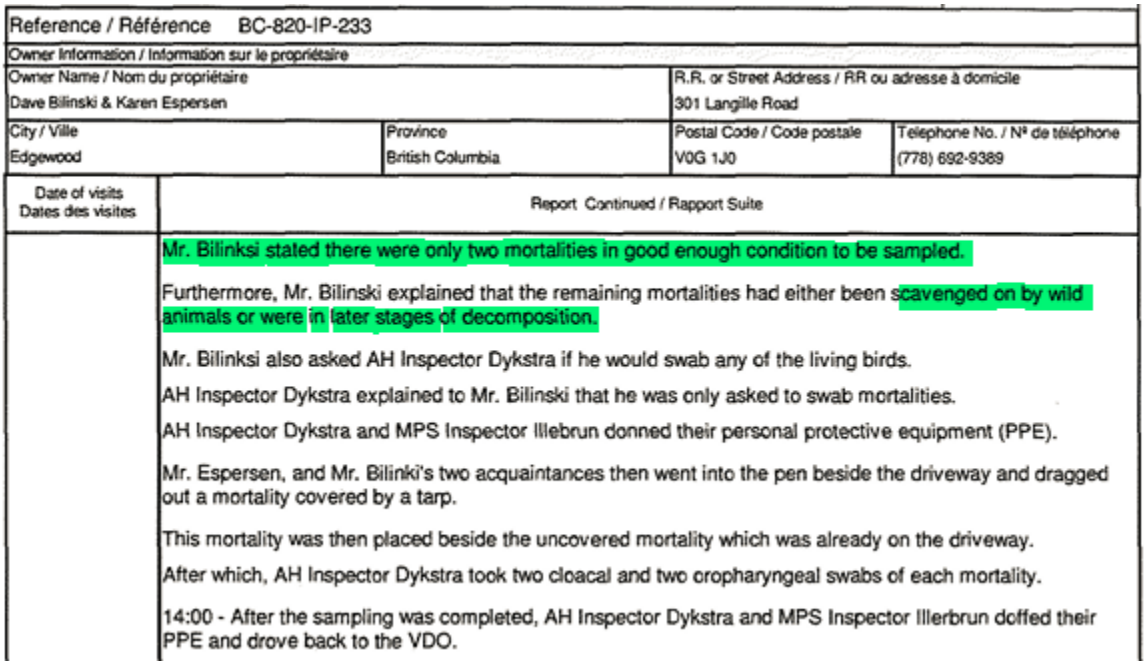
2. Bilinski Covered Up Previous Suspected Outbreak



email and attach the DUR template. CO Berreth explained the quarantine measures and any movements on or off the premises would require a movement permit and a biocontainment plan approved by CFIA. Mr. Bilinski mentioned that there were around 300-500 ducks that landed on the premises and around a week later, ostriches started to show symptoms of AI or died. Mr. Bilinski explained that 50% of his ostriches looked healthy as they were an older flock and had "herd immunity". When CO Berreth inquired further, Mr. Bilinski explained that they suspected they might have had AI on the premises around 2 years ago, but never reported this to CFIA. Mrs. Espersen noted the younger ostriches had a few losses, but majority of these young birds that showed signs were recovering.

This is from Exhibit “Z” of the Furness Affidavit. On January 2nd, 2025, Bilinski reveals for the first time that there was a suspected outbreak 2 years ago, and some birds had died. He claimed that the survivors had immunity.

3. All But 2 Deceased Were Too Decomposed To Test

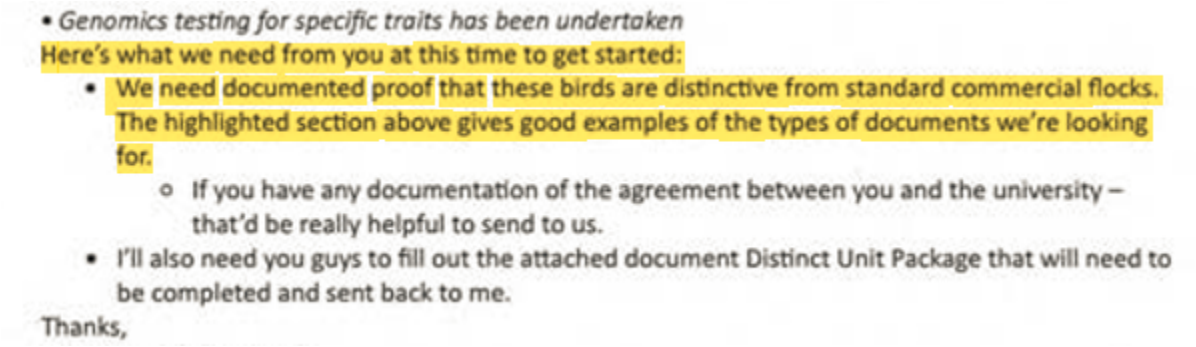


Reference / Référence BC-820-IP-233			
Owner Information / Information sur le propriétaire			
Owner Name / Nom du propriétaire Dave Bilinski & Karen Espersen		R.R. or Street Address / RR ou adresse à domicile 301 Langille Road	
City / Ville Edgewood	Province British Columbia	Postal Code / Code postale V0G 1J0	Telephone No. / N° de téléphone (778) 692-9389

Date of visits Dates des visites	Report Continued / Rapport Suite
	Mr. Bilinksi stated there were only two mortalities in good enough condition to be sampled. Furthermore, Mr. Bilinski explained that the remaining mortalities had either been scavenged on by wild animals or were in later stages of decomposition. Mr. Bilinksi also asked AH Inspector Dykstra if he would swab any of the living birds. AH Inspector Dykstra explained to Mr. Bilinski that he was only asked to swab mortalities. AH Inspector Dykstra and MPS Inspector Illebrun donned their personal protective equipment (PPE). Mr. Espersen, and Mr. Bilinki's two acquaintances then went into the pen beside the driveway and dragged out a mortality covered by a tarp. This mortality was then placed beside the uncovered mortality which was already on the driveway. After which, AH Inspector Dykstra took two cloacal and two oropharyngeal swabs of each mortality. 14:00 - After the sampling was completed, AH Inspector Dykstra and MPS Inspector Illerbrun doffed their PPE and drove back to the VDO.

This is from Exhibit “T” of the Furness Affidavit. A lot of noise had been made about the CFIA only testing 2 dead birds. But according to their inspection report, only 2 were *able* to be tested on. The rest were either severely decomposed, or had been attacked by scavengers.

4. No Evidence Brought Forward For Exemption



- *Genomics testing for specific traits has been undertaken*

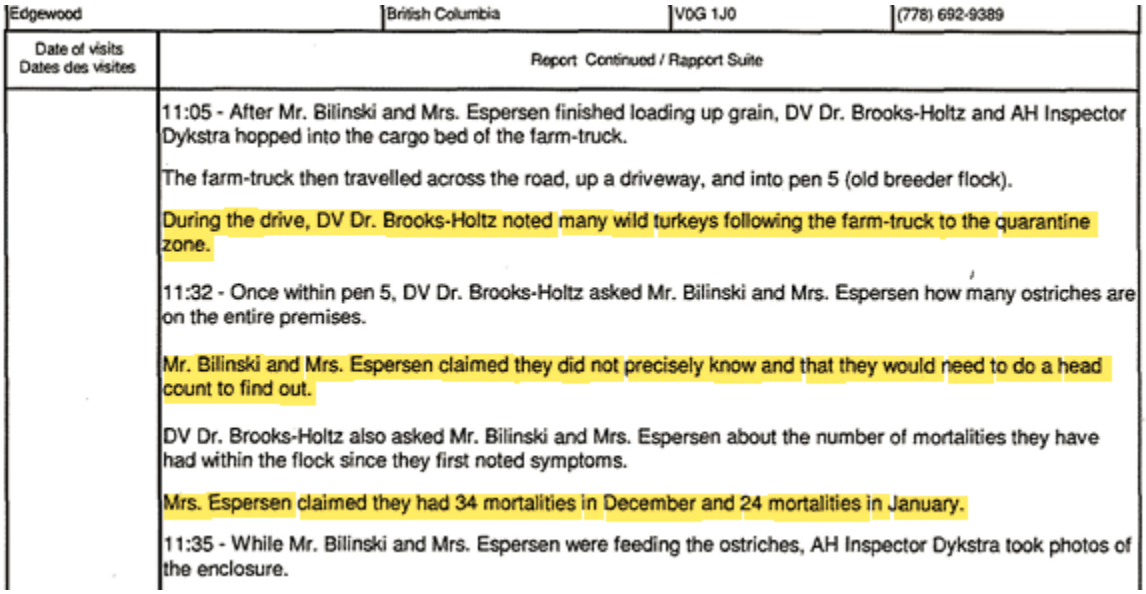
Here's what we need from you at this time to get started:

- We need documented proof that these birds are distinctive from standard commercial flocks. The highlighted section above gives good examples of the types of documents we're looking for.
    - If you have any documentation of the agreement between you and the university – that'd be really helpful to send to us.
- I'll also need you guys to fill out the attached document Distinct Unit Package that will need to be completed and sent back to me.

Thanks,

This is from Exhibit "EE" in the Furness Affidavit. A package was sent to the farmers outlining the information that would be required to support a request for an exemption. Instead, the information they provided to the CFIA more closely resembled a business plan.

5. Farmers Claim Not To Know How Many Birds There Are



Edgewood	British Columbia	V0G 1J0	(778) 692-9389
Date of visits Dates des visites	Report Continued / Rapport Suite		
	11:05 - After Mr. Bilinski and Mrs. Espersen finished loading up grain, DV Dr. Brooks-Holtz and AH Inspector Dykstra hopped into the cargo bed of the farm-truck. The farm-truck then travelled across the road, up a driveway, and into pen 5 (old breeder flock). During the drive, DV Dr. Brooks-Holtz noted many wild turkeys following the farm-truck to the quarantine zone. 11:32 - Once within pen 5, DV Dr. Brooks-Holtz asked Mr. Bilinski and Mrs. Espersen how many ostriches are on the entire premises. Mr. Bilinski and Mrs. Espersen claimed they did not precisely know and that they would need to do a head count to find out. DV Dr. Brooks-Holtz also asked Mr. Bilinski and Mrs. Espersen about the number of mortalities they have had within the flock since they first noted symptoms. Mrs. Espersen claimed they had 34 mortalities in December and 24 mortalities in January. 11:35 - While Mr. Bilinski and Mrs. Espersen were feeding the ostriches, AH Inspector Dykstra took photos of the enclosure.		

This is from Exhibit "G" of the Furness Affidavit. Bilinski and Espersen received a visit on January 20th, 2025. Among other things, they were asked how many birds there were in total. They answered that they didn't know, and would have to count. This is an issue that would come up repeatedly.

Consider that Espersen and Bilinski claimed to have about 450 birds at one point. And again, they're not sure. The CFIA only counted 314 when the culling was done. Does this mean that nearly 1/3 died over the last year? Were some sold or otherwise moved off the property?

6. Farmers Fined Twice For Not Following Rules

NOTICE OF VIOLATION **PROCÈS-VERBAL**

Issued pursuant to section 7 of the Agriculture and Agri-Food Administrative Monetary Penalties Act
Émis conformément à l'article 7 de la Loi sur les sanctions administratives pécuniaires en matière d'agriculture et d'agroalimentaire

EIS Case Number / Numéro de Référence SEAL: 2425WA0242

Issued To: / Émis à : Universal Ostrich Farms Inc.
(First and last name of individual OR full name of Company or Business name / Prénom et nom de la personne OU nom complet de la société ou raison sociale)

301 Langille Road, Edgewood BC V0G 1J0
(Full address, street, city, province, postal code / Adresse complète, rue, ville, province, code postal)

I, THE UNDERSIGNED, DECLARE THAT I HAVE REASONABLE GROUNDS TO BELIEVE, THAT
JE, SOUSSIGNÉ, DÉCLARE AVOIR DES MOTIFS RAISONNABLES DE CROIRE, QUE

☐ on or about / le ou vers le _____ OR /OU ☒ between / entre le December 11, 2024 and / et le December 28, 2024

AT/ À Edgewood

IN THE PROVINCE OR TERRITORY OF / DANS LA PROVINCE OU LE TERRITOIRE DE (DU) British Columbia

THE ABOVE NAMED PERSON, COMMITTED A VIOLATION, NAMELY / LA PERSONNE SUSNOMMÉE A COMMIS UNE VIOLATION, À SAVOIR:

Fail to notify the nearest veterinary inspector of the presence of a reportable disease or a toxic substance

Contrary to section(s) / Contraire à l'article(s) 5(1) of the / du/ de la HEALTH OF ANIMALS ACT

These are from Exhibits "RR" and "SS" of the Furness Affidavit. The farm was fined twice. The first was for not reporting deaths and a suspected outbreak, and the other was for not following quarantine protocols. Reading the package as a whole, it's surprising that UOF wasn't hit with many more tickets. If the CFIA had been vindictive, they very easily could have.

Come to think of it, it's surprising that the CFIA didn't just try to seize the farm a lot sooner. From what they describe in their inspections, few, if any health protocols were followed.

7. Decades Of Debt And Foreclosure

This was somewhat addressed in Part 4. The farmers here seem to owe everyone money, so it's worth wondering if and how that would ever be paid back. It also raises questions about whether creditors could have seized the birds, had their not been killed. After all, they were essentially the only asset. They don't own the land, so it's not like that could be sold.

As one example: June 2023, Espersen and Bilinski were ordered to pay $244,323 in a foreclosure done by consent.

(A) 0752063 Bilinski Petition To Court
(B) 0752063 Bilinski Notice Of Application
(C) 0752063 Requisition General
(D) 0752063 Bilinski Consent Order Of Foreclosure

Rocky Mountain Ostrich, Espersen's former company, was ordered to pay $61,134 in 1996 by the Federal Court. In 2002, another $24,310 was ordered.

When the dust finally settles, will creditors go after the GoFundMe or GiveSendGo accounts? It appears to be the only money they have. This probably isn't what donors expected.

8. There Never Was A Happy Ending For The Ostriches

While it's easy to be sympathetic, the reality is those birds were dead anyway. They were effectively a lab experiment, and would have been killed afterwards. Even without all this, apparently is was their practice to kill animals… by Halal methods?

Note: This isn't my video, but was circulating on X (formerly, Twitter). This is Rick Walker of Maverick News. He gives many good takes on this case.

About Those Claims Evidentiary Review Not Sought…

[13] The appeal shall proceed on an expedited basis as follows:

a. The appellant is not required to prepare and file an appeal book, but instead shall file a copy of the application records that were before the Federal Court with the Registry no later than July 2, 2025;

b. The appellant shall serve and file the appellant's memoranda of fact and law and book of authorities no later than July 4, 2025;

There have been comments online that efforts *should* have been made to attempt to introduce new evidence for the Appeal(s). This is worth mentioning.

When the Federal Court of Appeal stayed the culling temporarily, their Order specified that there was not to be any new material sent. Instead, the existing Application Records

(evidence) would simply be reused. While the Supreme Court *may* have allowed new evidence, they refused to hear the case anyway.

One has to ask if this farm would have enjoyed anywhere near the support it did, had the media covering it been transparent. Instead of endless stories about heartbreak, it would have been nice (or at least necessary) to get a complete account of how this farm operated.

Finally, there's that run-in that counsin Danny Bilinski also had with the British Columbia Securities Commission (BCSC) back in 2002. Dan and David tried raising money, but weren't transparent with investors about ongoing financial problems.

(A) https://www.bcsc.bc.ca/-/media/PWS/Resources/Enforcement/Decisions/2002/2002-BCSECCOM-102.pdf

SUPREME COURT OF CANADA DOCUMENTS (LEAVE TO APPEAL APPLICATION)
(1) UOF SCC Decisions Of FC And FCA
(2) UOF SCC Notice Of Application For Leave To Appeal
(3) UOF SCC Notice Of Name
(4) UOF SCC Application No Prohibition On Publication
(5) UOF SCC Application For Leave To Appeal
(6) UOF SCC Memorandum Arguments For Leave To Appeal
(7) UOF SCC Notification Opposing Leave
(8) UOF SCC Response To Application For Leave
(9) UOF SCC Applicants Reply Memorandum
(10) UOF SCC Applicants Reply

COURT OF APPEAL (CHALLENGING JUSTICE ZINN'S ORDER)
(1) Ostrich APPEAL Notice Of Appeal (May, 2025)
(2) UOF APPEAL Notice Of Appearance (May, 2025)
(3) UOF FCA Appeal Denied (August, 2025)
(4) UOF FCA Motion To Stay Dismissed (September, 2025)

COURT OF APPEAL (MOTION TO STAY CULL ORDER)
(1) UOF APPEAL Motion Record To Stay Culling (June, 2025)
(2) UOF APPEAL Notice Of Motion To Stay Culling (June, 2025)

(3) UOF APPEAL Bilinski Affidavit To Stay Culling (June, 2025)
(4) UOF APPEAL Bilinski Affidavit Exhibit E June, 2025)
(5) UOF APPEAL Espersen Affidavit To Stay Culling (June, 2025)
(6) UOF APPEAL Moving Party Submissions To Stay Culling (June, 2025)
(7) UOF APPEAL Responding Motion Record Volume 1
(8) UOF APPEAL Responding Motion Record Volume 2 (June, 2025)
(9) UOF APPEAL Responding Submissions To Stay Culling (June, 2025)
(10) UOF APPEAL Order Staying Cullings Pending Appeal (June, 2025)

COURT OF APPEAL (JUSTICE BATTISTA STAYING CULL ORDER):
(1) UOF Order To Stay Culling (January, 2025)
(2) UOF Notice Of Appeal (February, 2025)
(3) UOF Notice Of Appearance (February, 2025)
(4) UOF Agreement Appeal Book Contents (March, 2025)
(5) UOF Joint Appeal Book (April, 2025)
(6) UOF Consent To Extend Time (May, 2025)
(7) UOF Notice Of Discontinuance (May, 2025)

FEDERAL COURT DOCUMENTS (CFIA):
(1) Ostrich Notice Of Application Certified (January, 2025)
(2) Ostrich Notice Of Application (January, 2025)
(3) Ostrich Notice Of Motion (January, 2025)
(4) Ostrich Bilinski Affidavit (January, 2025)
(5) Ostrich Espersen Affidavit (January, 2025)
(6) Ostrich Pelech Affidavit (January, 2025)
(7) Ostrich Jones Affidavit (January, 2025)
(8) Ostrich Responding Motion Record (January, 2025)
(9) Ostrich Responding Motion Record Expedited (February, 2025)
(10) Ostrich Motion Record Ex-Parte (February, 2025)
(11) Ostrich Exemption Notice Of Application (February, 2025)
(12) Ostrich Exemption Motion Record (February, 2025)
(13) Ostrich Ruling Of Justice Zinn (May, 2025)

MONEY:
(1) https://bcrising.ca/save-our-ostriches/
(2) https://www.gofundme.com/f/help-ostrich-farmers-fight-to-save-herd-from-avian-flu?

attribution_id=sl%3A80e09934-7413-429b-acfb-2f7015cc19d3&lang=en_CA

(3) https://www.givesendgo.com/save-our-ostriches

(4) https://www.kinexus.ca/

CANADA, CANADIAN DECISIONS, OSTRICHES

6 Replies to “Universal Ostrich Farms, Part 9: Closing Off With What Alternative Media Didn’t Report”

Grace Joubarne

NOVEMBER 16, 2025 AT 8:22 AM

Excellent summary of the other side of the story. The feds did not handle this matter in a transparent and sensible manner. From the outset, the public had the right to know what was going on at the farm…it appears clear that it was involved in illegal gain-of-function research with a Japanese research company.

In matters of public interest, all documents and facts must be put on the table for the public to review. The way this rolled out, it we heard only from the bird owners who manipulated alternative media. Had we heard fact and seen evidence before instead of after the fact, the owners would have not seen that support and moreover, would not have attracted donations.

Who was that speaking in the video and when?

Ronnie

NOVEMBER 16, 2025 AT 11:09 AM

Assuming you mean the first video: I believe it’s Katie Pasitney talking to David Krayden (Stand On Guard). Not sure of the date, I’d have to find the full original.

Karen M Espersen

MAY 6, 2026 AT 2:18 PM

It is so funny that no one from here has tried to reach out to the farm at any time. The only facts that are gathered are from speculation or court documents that can also be misleading. The facts are the facts. These birds were well cared for and very much loved. They never really had their day in court. If the facts were allowed to be presented in court rather then chasing whether CFIA followed their policies correctly. It is easy to follow policies if they change them as they go. CFIA lost their last tribunal as the judge stated how would the family know what policy to follow as it was amended several times. The family was never served properly nor told exactly what was expected of them. The warrants served were for the wrong property and the live animals were never tested as the CFIA knew they would have lost their case. The birds had a Hybrid which means the virus was crossed with another virus so it could never have the effectiveness of a High pathogenic virus. Our virus was of no threat to the public nor to any other animal. Our birds died from Pseudonymous (a bad bacteria that came with the ducks) not reportable. Once the bacteria is cleaned up the deaths stopped immediately. Only the young birds were affected as we had a diagnosis of Pseudonymous back in 2020 from the top accredited lab in Winnipeg off a tissue sample which was much better then the two swabs taken off two dead birds and sent in for a simple PCR test which states right on the box that it is not to be used for diagnostic purposes. The two same swabs went to the accredited lab and they came back as a Hybrid (not reportable and not infectious) CFIA knew this and did everything in their power to stop our evidence from being submitted or heard in court. Our poor birds never had their day in court and instead the CFIA and the Government turned their backs on testing our birds to prove to the public they were not a problem. You do not spend 7 million dollars to come kill off a farm of healthy birds. The older birds had the Pseudonymous in 2020 and had the antibodies and cure in their memory cells. This is why the government wanted our birds was for the science, not a virus or they would have tested to show the world they were Just in what they were doing. Instead they parked their motorhomes in the so called hottest part of the quarantine and walked around with no PPE and all the contractors and RCMP came and left without disinfecting. If we had a virus the whole country would have been infected as they brought police from all over Canada. Anyone who wanted to sign up for a very healthy bonus. I think they made something like $21,000 each per shift. Not a bad days pay? This whole thing was to steal our birds and steal our science. The CFIA gave us an exemption and then asked us for a 5 hour interview about our science and asked us to send them everything about the science to work with us. As soon as we gave them the science they told us to fill out the distinct unit form which they knew and we knew we would fail as we were not a commercial chicken facility. They said just be compliant and that they would save at least half the farm that had existing antibodies to the Pseudonymous. We filled it out believing in what we were being told and the very next day they took away the exemption claiming they did not have enough man power nor time to work with us. They then told us they were taking away the exemption and went on to the media to say we gave them nothing for science after they had proof of the neutralization of Covid 19

and variants, Pseudonymous, and H5N1 Hybrid. They destroyed two families dragging them through the mud to discredit them and the science as we watched our numbers of birds go down daily for two weeks while they sat in the hottest part of the so called quarantine. After they stole so many birds they moved camp out of the quarantine. So much not said nor unveiled for the public to see and know. Maybe someone should be asking the owners for the truth instead of making up and covering up the truth.

smayer97

NOVEMBER 16, 2025 AT 10:49 AM

What do you think of the following perspective?
https://x.com/jaygenxer/status/1988623663478751675?s=49&t=tF0SNyAC_JbzqBkaWlJRWw

I get that there may have been some mismanagement, but are these claims legit, or are they part of the greater effort to subvert rights and freedoms?

It has been hard to get a complete accurate picture of what went on here, but on the face of it, it does seem like there are some major injustices taking place.

Ronnie

NOVEMBER 16, 2025 AT 11:45 AM

The point of this series is that the truth is night-and-day different from what the public is being led to believe by “independent” reporting. All of the documents attached were available for months, but they chose not to cover them. Reading the inspection reports, it’s stunning how lenient the CFIA was (such as for attempting to cover up deaths). Despite Pasitney doing dozens of interviews, it never seemed like she was 100% transparent.

Interestingly, they never went hard into the idea that PCR testing is fraud. Pelech never did. Then again, their business model is that these birds are developing antibodies to Covid. This is the same virus many of their supporters (ex-convoy protesters) don’t believe exists, but that is lost on them.

They’re telling the courts that they take quarantine measures seriously. Meanwhile, large numbers of the public visited or camped out over the summer. This included children. There are also endless fundraisers and even music festivals. And if there were wealthy business partners involved, and eggs were worth $48,000/each, why the constant e-begging?

CFIA claims that they were effectively chased away from the area by threats from protesters. They only returned (with a warrant) after FCA dismissed their appeal, and the FCA refused another stay. The SCC issued one of their own though.

Is there some grand conspiracy at play? Who knows these days?

Personally, it's not a matter of 100% believing the CFIA, but NOT believing the farmers at all.

George

DECEMBER 4, 2025 AT 5:40 PM

What canuck law does or doesn't mention; a lab in Quebec, Canada was bought out and shut down with an NDA while doing the Covid-related antibody testing; the Japanese scientist was or is doing the same live animal experimentation, the Japanese prime minister was assassinated after rejecting the 'jab' (as were several African presidents), PCR testing is a fraud, as we know, and any further independent testing was ruled out by any means by the CFIA under enormous financial penalty and I believe a jail term, the absence of a qualified veterinarian before and after the massacre to ensure a humane way of doing the cull…